



Attorney Docket # 4830-15RCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Perry Calias et al.

Serial No.: 09/543,489

Filed: April 06, 2000

For: Immunomodulatory Compositions and Methods of Use
Thereof

Examiner: B. Badio
Group Art: 1616

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

October 23, 2003
(Date of Deposit)

Kent H. Cheng

Name of applicant, assignee or Registered Representative

Kent H. Cheng
Signature

October 23, 2003
Date of Signature

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

SIR:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated May 23, 2003 of the Primary Examiner finally rejecting claims 1, 2, 4, 9-21, 72, 74 and 75.

The items checked below are appropriate:

1. The time for response to the Office Action of May 23, 2003 expires on August 23, 2003.
2. A ___-month extension of time for response to the Office Action dated ___ was filed on ___. [No additional extensions of time are required.]
- 3a. Applicant(s) hereby request(s) a two-month extension of the original shortened statutory response period set in the Office Action of May 23, 2003. A check in the amount of \$420.00 in payment of the government fee for an extension of time is enclosed herewith.

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01 FC:1401
02 FC:1252

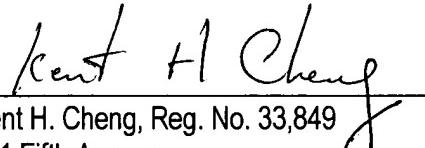
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- 3b. This is not the first request for an extension of time relative to the outstanding paper. The period for response has already been extended by -month(s) by petition dated . Please extend the time for response by an additional -month(s). With this extension, the deadline for filing the required paper will be . A check for the additional extension fee of \$ is enclosed.
4. Check for payment of the appeal fee of \$330.00
 is enclosed herewith.
 No additional fee is required (fee paid in prior appeal).
 Charge the fee to Deposit Account No. 03-2412 (one additional copy of this Notice is enclosed herewith).
5. Charge any additional fees required, for example, for lodging this appeal or for filing the Appeal Brief, not otherwise paid by check, to Deposit Account No. 03-2412. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
COHEN, PONTANI, LIEBERMAN & PAVANE

By _____


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Dated: October 23, 2003